UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1256
16 December 1999

ORIGINAL: ENGLISH

LETTER DATED 16 DECEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you the attached statement issued today, 16 December 1999, by the Ministry of Foreign Affairs of the State of Eritrea, entitled "The Tigray People's Liberation Front should adhere to the Organization of African Unity principle of the sanctity of colonial boundaries" (see annex).

I should be grateful if you would kindly circulate the text of the present letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

00-20511
99-39314 (E) 161299

/...

Annex

The Tigray People's Liberation Front should adhere to the Organization of African Unity principle of the sanctity of colonial boundaries

Five months after the Organization of African Unity (OAU) Summit in Algiers, the authorities in Addis Ababa continue to raise one pretext after another in their effort to frustrate the peace process. The litany of flimsy excuses continue to multiple despite the fact that the OAU has long provided comprehensive clarifications to the multiple questions (39 all in all) submitted by the Tigray People's Liberation Front (TPLF) regime in August.

The act is being played out not because Addis Ababa harbours legitimate concerns that have not been addressed exhaustively, but because its underlying objective is "to induce fatigue and wear down the mediators" by means of successive dilatory tactics. The TPLF's recent submission to the OAU of new queries in a "14-page document" is part and parcel of this drama.

The excuse concerning the "inconsistencies of the Technical Arrangements" that the Ethiopian regime invokes incessantly is untenable. In the first place, the prerogative of interpretation rests with the OAU. Secondly, the arguments that the TPLF regime has been raising are not substantive. Its objection to a peacekeeping mission is a good case in point.

In fact, unless it is driven by hidden motives - such as the desire to carry out ethnic cleansing in the areas slated for redeployment - there are no plausible reasons that militate against the arrangement. How else would redeployment of more than half a million heavily armed troops occur? It is not new that peacekeeping missions under the auspices of the United Nations or OAU are deployed in conflict areas both as a matter of routine and in accordance with the Charter of the United Nations and United Nations and OAU practices. Such peacekeeping missions are even deployed in civil wars and internal conflicts. There are thus no logical technical or legal considerations that obviate the placement of a peacekeeping mission in contested areas. This is clearly critical for the creation of a conducive climate for the interim redeployment of troops by both sides and to expedite the demarcation of the boundary.

In reality, the TPLF's problems have nothing to do with the Technical Arrangements. It's basic problem is the peace package as a whole. Indeed, Ethiopia's Prime Minister has, perhaps inadvertently, spilled the beans to reveal the internal policy of the TPLF Politburo when he told Ethiopian TV last week that "... they (Eritrea) should have said clearly that they would withdraw from this or that specific territory. And after expressing their readiness to withdraw, they should go further to declare their recognition of Ethiopian sovereignty over these territories". In other words, the TPLF will never contemplate peace unless it is arbitrarily awarded, prior to demarcation, all the sovereign Eritrean territories that it claims or that it has occupied.

This TPLF position is not only a recipe for continuous war but also violates fundamental principles of international law. The TPLF is in effect blatantly admitting that it does not abide by the OAU's cardinal principle concerning the sanctity of colonial boundaries. It must be recognized that the war erupted precisely because the TPLF violated this principle and drew a new illegal map incorporating sovereign Eritrean territory and repeatedly resorted to aggression to create facts on the ground. As Eritrea has maintained from the beginning, these acts of aggression can only be redressed when the boundary is demarcated in accordance with the OAU's principle and established colonial treaties.

The TPLF's refusal to abide by the OAU sacred decisions and accepted principles of international law is furthermore fraught with dangerous consequences for Ethiopia itself. Addis Ababa went to war twice with Somalia (1963, 1978) over the Ogaden precisely over the same principles and issues. Ethiopia's legitimate claim of sovereignty in the Ogaden emanates from the principles that uphold the sanctity of colonial boundaries. If Ethiopia does not now respect this principle in its border dispute with Eritrea, then others may follow suit. This will open a Pandora's Box and lead, inevitably, to a new cycle of war and turmoil in the region.